

104TH CONGRESS
1ST SESSION

H. R. 51

To provide for the admission of the State of New Columbia into the Union.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Ms. NORTON (for herself and Mr. MINETA) introduced the following bill;
which was referred to the Committee on Government Reform and Oversight

A BILL

To provide for the admission of the State of New Columbia
into the Union.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “New Columbia Admission Act”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—STATE OF NEW COLUMBIA

Subtitle A—Procedures for Admission

Sec. 101. Admission into the union.

Sec. 102. Process for admission.

Sec. 103. Election of officials of State.



Sec. 104. Issuance of presidential proclamation.

Subtitle B—Description of New Columbia Territory

Sec. 111. Territories and boundaries of New Columbia.

Sec. 112. Description of District of Columbia after admission of State.

Sec. 113. Continuation of title to lands and property.

Subtitle C—General Provisions Relating to Laws of New Columbia

Sec. 121. Limitation on authority of State to tax Federal property.

Sec. 122. Effect of admission of State on current laws.

Sec. 123. Continuation of judicial proceedings.

Sec. 124. United States nationality.

TITLE II—RESPONSIBILITIES AND INTERESTS OF FEDERAL GOVERNMENT

Sec. 201. Continuation of revised District of Columbia as seat of Federal government.

Sec. 202. Treatment of military lands.

Sec. 203. Payment to State in lieu of tax.

Sec. 204. Waiver of claims to Federal lands and property.

Sec. 205. Preservation of scenic vistas.

Sec. 206. Permitting individuals residing in new seat of government to vote in Federal elections in State of most recent domicile.

Sec. 207. Repeal of law providing for participation of District of Columbia in election of President and Vice-President.

Sec. 208. Expedited consideration of constitutional amendment.

TITLE III—GENERAL PROVISIONS

Sec. 301. General definitions.

Sec. 302. Certification of enactment by president.

Sec. 303. Statehood Transition Commission.

1 **TITLE I—STATE OF NEW**
 2 **COLUMBIA**
 3 **Subtitle A—Procedures for**
 4 **Admission**

5 **SEC. 101. ADMISSION INTO THE UNION.**

6 (a) IN GENERAL.—Subject to the provisions of this
 7 Act, upon issuance of the proclamation required by section
 8 104(b), the State of New Columbia is declared to be a
 9 State of the United States of America, and is declared

1 admitted into the Union on an equal footing with the other
2 States in all respects whatever.

3 (b) CONSTITUTION OF STATE.—The State Constitu-
4 tion shall always be republican in form and shall not be
5 repugnant to the Constitution of the United States and
6 the principles of the Declaration of Independence.

7 **SEC. 102. PROCESS FOR ADMISSION.**

8 (a) APPROVAL OF ADMISSION BY VOTERS OF DIS-
9 TRICT OF COLUMBIA.—

10 (1) ELECTION PROCEDURES.—At an election
11 designated by proclamation of the Mayor, which may
12 be the primary or the general election held pursuant
13 to section 103(a), a general election, or a special
14 election, there shall be submitted to the electors
15 qualified to vote in such election the following propo-
16 sitions for adoption or rejection:

17 “(A) New Columbia shall immediately be
18 admitted into the Union as a State.

19 “(B) The proposed Constitution for the
20 State of New Columbia, as adopted by the
21 Council of the District of Columbia pursuant to
22 the Constitution for the State of New Columbia
23 Approval Act of 1987 (D.C. Law 7–8), shall be
24 deemed ratified and shall replace the Constitu-

1 tion for the State of New Columbia ratified on
2 November 2, 1982.

3 “(C) The boundaries of the State of New
4 Columbia shall be as prescribed in the New Co-
5 lumbia Admission Act.

6 “(D) All provisions of the New Columbia
7 Admission Act, including provisions reserving
8 rights or powers to the United States and pro-
9 visions prescribing the terms or conditions of
10 the grants of lands or other property made to
11 the State of New Columbia, are consented to
12 fully by the State and its people.”.

13 (2) RESPONSIBILITIES OF MAYOR.—The Mayor
14 of the District of Columbia is authorized and di-
15 rected to take such action as may be necessary or
16 appropriate to ensure the submission of such propo-
17 sitions to the people. The return of the votes cast on
18 such propositions shall be made by the election offi-
19 cers directly to the Board of Elections of the Dis-
20 trict of Columbia, which shall certify the results of
21 the submission to the Mayor. The Mayor shall cer-
22 tify the results of such submission to the President
23 of the United States.

24 (b) EFFECT OF VOTE.—

1 (1) ADOPTION OF PROPOSITIONS.—In the event
2 the propositions described in subsection (a) are
3 adopted in an election under such subsection by a
4 majority of the legal votes cast on such submis-
5 sion—

6 (A) the State Constitution shall be deemed
7 ratified; and

8 (B) the President shall issue a proclama-
9 tion pursuant to section 104.

10 (2) REJECTION OF PROPOSITION.—In the event
11 any one of the propositions described in subsection
12 (a) is not adopted in an election under such sub-
13 section by a majority of the legal votes cast on such
14 submission, the provisions of this Act shall cease to
15 be effective.

16 **SEC. 103. ELECTION OF OFFICIALS OF STATE.**

17 (a) ISSUANCE OF PROCLAMATION.—

18 (1) IN GENERAL.—Not more than 30 days after
19 receiving certification of the enactment of this Act
20 from the President pursuant to section 302, the
21 Mayor of the District of Columbia shall issue a proc-
22 lamation for the first elections, subject to the provi-
23 sions of this section, for two Senators and one Rep-
24 resentative in Congress.

1 (2) SPECIAL RULE FOR ELECTION OF SEN-
2 ATORS.—In the election of Senators from the State
3 pursuant to paragraph (1), the 2 Senate offices shall
4 be separately identified and designated, and no per-
5 son may be a candidate for both offices. No such
6 identification or designation of either of the offices
7 shall refer to or be taken to refer to the terms of
8 such offices, or in any way impair the privilege of
9 the Senate to determine the class to which each of
10 the Senators elected shall be assigned.

11 (b) RULES FOR CONDUCTING ELECTION.—

12 (1) IN GENERAL.—The proclamation of the
13 Mayor issued under subsection (a) shall provide for
14 the holding of a primary election and a general elec-
15 tion and at such elections the officers required to be
16 elected as provided in subsection (a) shall be chosen
17 by the qualified electors of the District of Columbia
18 in the manner required by law.

19 (2) CERTIFICATION OF RETURNS.—Election re-
20 turns shall be made and certified in the manner re-
21 quired by law, except that the Mayor shall also cer-
22 tify the results of such elections to the President of
23 the United States.

24 (c) ASSUMPTION OF DUTIES.—Upon the admission
25 of the State into the Union, the Senators and Representa-

1 tive elected at the election described in subsection (a) shall
2 be entitled to be admitted to seats in Congress and to all
3 the rights and privileges of Senators and Representatives
4 of other States in the Congress of the United States.

5 (d) TRANSFER OF OFFICES OF MAYOR AND MEM-
6 BERS AND CHAIR OF COUNCIL.—Upon the admission of
7 the State into the Union, the Mayor, members of the
8 Council, and the Chair of the Council at the time of admis-
9 sion shall be deemed the Governor, members of the House
10 of Delegates, and the President of the House of Delegates
11 of the State, respectively, as provided by the State Con-
12 stitution and the laws of the State.

13 (e) CONTINUATION OF AUTHORITY AND DUTIES AND
14 JUDICIAL AND EXECUTIVE OFFICERS.—Upon the admis-
15 sion of the State into the Union, members of executive
16 and judicial offices of the District of Columbia shall be
17 deemed members of the respective executive and judicial
18 offices of the State, as provided by the State Constitution
19 and the laws of the State.

20 (f) SPECIAL RULE FOR HOUSE OF REPRESENTA-
21 TIVES MEMBERSHIP.—The State upon its admission into
22 the Union shall be entitled to one Representative until the
23 taking effect of the next reapportionment, and such Rep-
24 resentative shall be in addition to the membership of the
25 House of Representatives as now prescribed by law, except

1 that such temporary increase in the membership shall not
 2 operate to either increase or decrease the permanent mem-
 3 bership of the House of Representatives or affect the basis
 4 of apportionment for the Congress.

5 **SEC. 104. ISSUANCE OF PRESIDENTIAL PROCLAMATION.**

6 (a) IN GENERAL.—If the President finds that the
 7 propositions set forth in section 102(a) have been duly
 8 adopted by the people of the State, the President, upon
 9 certification of the returns of the election of the officers
 10 required to be elected as provided in section 103(a), shall,
 11 not later than 90 days after receiving such certification,
 12 issue a proclamation announcing the results of such elec-
 13 tions as so ascertained.

14 (b) ADMISSION OF STATE UPON ISSUANCE OF PROC-
 15 LAMATION.—Upon the issuance of the proclamation by the
 16 President under subsection (a), the State shall be deemed
 17 admitted into the Union as provided in section 101.

18 **Subtitle B—Description of New**
 19 **Columbia Territory**

20 **SEC. 111. TERRITORIES AND BOUNDARIES OF NEW COLUM-**
 21 **BIA.**

22 (a) IN GENERAL.—Except as provided in subsection
 23 (b), the State shall consist of all of the territory of the
 24 District of Columbia as of the date of the enactment of

1 this Act, subject to the results of the technical survey con-
2 ducted under subsection (c).

3 (b) EXCLUSION OF PORTION OF DISTRICT OF CO-
4 LUMBIA REMAINING AS NATIONAL CAPITAL.—The terri-
5 tory of the State shall not include the area described in
6 section 112, which shall remain as the District of Colum-
7 bia for purposes of serving as the seat of the government
8 of the United States.

9 (c) TECHNICAL SURVEY.—Not later than 6 months
10 after the date of the enactment of this Act, the President
11 (in consultation with the Chair of the National Capital
12 Planning Commission) shall conduct a technical survey of
13 the metes and bounds of the District of Columbia and of
14 the territory described in section 112(b).

15 **SEC. 112. DESCRIPTION OF DISTRICT OF COLUMBIA AFTER**
16 **ADMISSION OF STATE.**

17 (a) IN GENERAL.—Subject to the succeeding provi-
18 sions of this section, after the admission of the State into
19 the Union, the District of Columbia shall consist of the
20 property described in subsection (b) and shall include the
21 principal Federal monuments, the White House, the Cap-
22 itol Building, the United States Supreme Court Building,
23 and the Federal executive, legislative, and judicial office
24 buildings located adjacent to the Mall and the Capitol
25 Building.

1 (b) SPECIFIC DESCRIPTION OF METES AND
2 BOUNDS.—After the admission of the State into the
3 Union, the specific metes and bounds of the District of
4 Columbia shall be as follows:

5 Beginning at the point on the present Virginia-
6 District of Columbia boundary due west of the
7 northernmost point of Theodore Roosevelt Island
8 and running due east of the eastern shore of the Po-
9 tomac River;

10 thence generally south along the shore at the
11 mean high water mark to the northwest corner of
12 the Kennedy Center;

13 thence east along the north side of the Kennedy
14 Center to a point where it reaches the E Street Ex-
15 pressway;

16 thence east on the expressway to E Street
17 Northwest and thence east on E Street Northwest to
18 Eighteenth Street Northwest;

19 thence south on Eighteenth Street Northwest to
20 Constitution Avenue Northwest;

21 thence east on Constitution Avenue to Seven-
22 teenth Street Northwest;

23 thence north on Seventeenth Street Northwest
24 to Pennsylvania Avenue Northwest;

1 thence east on Pennsylvania Avenue to Jackson
2 Place Northwest;
3 thence north on Jackson Place to H Street
4 Northwest;
5 thence east on H Street Northwest to Madison
6 Place Northwest;
7 thence south on Madison Place Northwest to
8 Pennsylvania Avenue Northwest;
9 thence east on Pennsylvania Avenue Northwest
10 to Fifteenth Street Northwest;
11 thence south on Fifteenth Street Northwest to
12 Pennsylvania Avenue Northwest;
13 thence southeast on Pennsylvania Avenue
14 Northwest to John Marshall Place Northwest;
15 thence north on John Marshall Place Northwest
16 to C Street Northwest;
17 thence east on C Street Northwest to Third
18 Street Northwest;
19 thence north on Third Street Northwest to D
20 Street Northwest;
21 thence east on D Street Northwest to Second
22 Street Northwest;
23 thence south on Second Street Northwest to the
24 intersection of Constitution Avenue Northwest and
25 Louisiana Avenue Northwest;

1 thence northeast on Louisiana Avenue North-
2 west to North Capitol Street;

3 thence north on North Capitol Street to Massa-
4 chusetts Avenue Northwest;

5 thence southeast on Massachusetts Avenue
6 Northwest so as to encompass Union Square;

7 thence following Union Square to F Street
8 Northeast;

9 thence east on F Street Northeast to Second
10 Street Northeast;

11 thence south on Second Street Northeast to D
12 Street Northeast;

13 thence west on D Street Northeast to First
14 Street Northeast;

15 thence south on First Street Northeast to
16 Maryland Avenue Northeast;

17 thence generally north and east on Maryland
18 Avenue to Second Street Northeast;

19 thence south on Second Street Northeast to C
20 Street Southeast;

21 thence west on C Street Southeast to New Jer-
22 sey Avenue Southeast;

23 thence south on New Jersey Avenue Southeast
24 to D Street Southeast;

1 thence west on D Street Southeast to Washing-
2 ton Avenue Southwest;

3 thence southeast on Washington Avenue South-
4 west to E Street Southeast;

5 thence west on E Street Southeast to the inter-
6 section of Washington Avenue Southwest and South
7 Capitol Street;

8 thence northwest on Washington Avenue South-
9 west to Second Street Southwest;

10 thence south on Second Street Southwest to
11 Virginia Avenue Southwest;

12 thence generally west on Virginia Avenue to
13 Third Street Southwest;

14 thence north on Third Street Southwest to C
15 Street Southwest;

16 thence west on C Street Southwest to Sixth
17 Street Southwest;

18 thence north on Sixth Street Southwest to Inde-
19 pendence Avenue;

20 thence west on Independence Avenue to Twelfth
21 Street Southwest;

22 thence south on Twelfth Street Southwest to D
23 Street Southwest;

24 thence west on D Street Southwest to Four-
25 teenth Street Southwest;

1 thence south on Fourteenth Street Southwest to
2 the middle of the Washington Channel;

3 thence generally south and east along the
4 midchannel of the Washington Channel to a point
5 due west of the northern boundary line of Fort Les-
6 ley McNair;

7 thence due east to the side of the Washington
8 Channel;

9 thence following generally south and east along
10 the side of the Washington Channel at the mean
11 high water mark, to the point of confluence with the
12 Anacostia River, and along the northern shore at the
13 mean high water mark to the northernmost point of
14 the Eleventh Street Bridge;

15 thence generally south and east along the
16 northern side of the Eleventh Street Bridge to the
17 eastern shore of the Anacostia River;

18 thence generally south and west along such
19 shore at the mean high water mark to the point of
20 confluence of the Anacostia and Potomac Rivers;

21 thence generally south along the eastern shore
22 at the mean high water mark of the Potomac River
23 to the point where it meets the present southeastern
24 boundary line of the District of Columbia;

1 thence south and west along such southeastern
2 boundary line to the point where it meets the
3 present Virginia-District of Columbia boundary; and
4 thence generally north and west up the Poto-
5 mac River along the present Virginia-District of Co-
6 lumbia boundary to the point of beginning.

7 (c) TREATMENT OF CERTAIN PROPERTY.—

8 (1) STREETS AND SIDEWALKS BOUNDING
9 AREA.—After the admission of the State into the
10 Union, the District of Columbia shall be deemed to
11 include any street (together with any sidewalk there-
12 of) bounding the District of Columbia.

13 (2) EXCLUSION OF DISTRICT BUILDING.—Not-
14 withstanding any other provision of this section, the
15 District of Columbia shall not be considered to in-
16 clude the District Building after the admission of
17 the State into the Union.

18 (3) INCLUSION OF CERTAIN MILITARY PROP-
19 ERTY.—After the admission of the State into the
20 Union, the District of Columbia shall be deemed to
21 include Fort Lesley McNair, the Washington Navy
22 Yard, the Anacostia Naval Annex, the United States
23 Naval Station, Bolling Air Force Base, and the
24 Naval Research Laboratory.

1 **SEC. 113. CONTINUATION OF TITLE TO LANDS AND PROP-**
2 **ERTY.**

3 (a) CONTINUATION OF TITLE TO LANDS OF DIS-
4 TRICT OF COLUMBIA.—

5 (1) IN GENERAL.—The State and its political
6 subdivisions shall have and retain title or jurisdic-
7 tion for purposes of administration and maintenance
8 to all property, real and personal, with respect to
9 which title or jurisdiction for purposes of adminis-
10 tration and maintenance is held by the territory of
11 the District of Columbia on the day before the State
12 is admitted into the Union.

13 (2) CONVEYANCE OF INTEREST IN CERTAIN
14 BRIDGES AND TUNNELS.—On the day before the
15 State is admitted into the Union, the District of Co-
16 lumbia shall convey to the United States any and all
17 interest of the District of Columbia in any bridge or
18 tunnel that will connect the Commonwealth of Vir-
19 ginia with the District of Columbia after the admis-
20 sion of the State into the Union.

21 (b) CONTINUATION OF FEDERAL TITLE TO PROP-
22 ERTY IN STATE.—The United States shall have and retain
23 title or jurisdiction for purposes of administration and
24 maintenance to all property in the State with respect to
25 which the United States holds title or jurisdiction on the
26 day before the State is admitted into the Union, including

1 the scenic easement taken by the Secretary of the Interior
2 under section 205.

3 **Subtitle C—General Provisions**
4 **Relating to Laws of New Columbia**

5 **SEC. 121. LIMITATION ON AUTHORITY OF STATE TO TAX**
6 **FEDERAL PROPERTY.**

7 The State may not impose any taxes upon any lands
8 or other property owned or acquired by the United States,
9 except to the extent as Congress may permit.

10 **SEC. 122. EFFECT OF ADMISSION OF STATE ON CURRENT**
11 **LAWS.**

12 (a) IN GENERAL.—The admission of the State into
13 the Union shall not be construed to affect the applicability
14 to the State of any laws in effect in the District of Colum-
15 bia as of the date of admission, except as modified or
16 changed by this Act or by the State Constitution.

17 (b) TREATMENT OF FEDERAL LAWS.—All of the laws
18 of the United States shall have the same force and effect
19 within the State as elsewhere in the United States, except
20 as such laws may otherwise provide.

21 **SEC. 123. CONTINUATION OF JUDICIAL PROCEEDINGS.**

22 (a) PENDING PROCEEDINGS.—

23 (1) IN GENERAL.—No writ, action, indictment,
24 cause, or proceeding pending in any court of the
25 District of Columbia or in the United States District

1 Court for the District of Columbia shall abate by
2 reason of the admission of the State into the Union,
3 but shall be transferred and shall proceed within
4 such appropriate State courts as shall be established
5 under the State Constitution, or shall continue in
6 the United States District Court for the District of
7 Columbia, as the nature of the case may require.

8 (2) SUCCESSION OF COURTS.—The appropriate
9 courts of the State shall be the successors of the
10 courts of the District of Columbia as to all cases
11 arising within the limits embraced within the juris-
12 diction of such courts, with full power to proceed
13 with such cases, and award mesne or final process
14 therein, and all files, records, indictments, and pro-
15 ceedings relating to any such writ, action, indict-
16 ment, cause, or proceeding shall be transferred to
17 such appropriate State courts and shall be proceeded
18 with therein in due course of law.

19 (b) UNFILED PROCEEDINGS BASED ON ACTIONS
20 PRIOR TO ADMISSION.—All civil causes of action and all
21 criminal offenses which shall have arisen or been commit-
22 ted prior to the admission of the State into the Union,
23 but as to which no writ, action, indictment, or proceeding
24 shall be pending at the date of such admission, shall be
25 subject to prosecution in the appropriate State courts or

1 in the United States District Court for the District of Co-
2 lumbia in like manner, to the same extent, and with like
3 right of appellate review, as if the State had been admitted
4 and such State courts had been established prior to the
5 accrual of such causes of action or the commission of such
6 offenses.

7 (c) MAINTENANCE OF RIGHTS TO AND JURISDICTION
8 OVER APPEALS.—

9 (1) CASES DECIDED PRIOR TO ADMISSION.—

10 Parties shall have the same rights of appeal from
11 and appellate review of final decisions of the United
12 States District Court for the District of Columbia or
13 the District of Columbia Court of Appeals in any
14 case finally decided prior to the admission of the
15 State into the Union, whether or not an appeal
16 therefrom shall have been perfected prior to such ad-
17 mission. The United States Court of Appeals for the
18 District of Columbia Circuit and the Supreme Court
19 of the United States shall have the same jurisdiction
20 in such cases as by law provided prior to the admis-
21 sion of the State into the Union.

22 (2) CASES DECIDED AFTER ADMISSION.—Par-
23 ties shall have the same rights of appeal from and
24 appellate review of all orders, judgments, and de-
25 crees of the United States District Court for the

1 District of Columbia and of the highest court of the
2 State, as successor to the District of Columbia
3 Court of Appeals, in any case pending at the time
4 of admission of the State into the Union, and the
5 United States Court of Appeals for the District of
6 Columbia Circuit and the Supreme Court of the
7 United States shall have the same jurisdiction there-
8 in, as by law provided in any case arising subsequent
9 to the admission of the State into the Union.

10 (3) ISSUANCE OF SUBSEQUENT MANDATES.—

11 Any mandate issued subsequent to the admission of
12 the State shall be to the United States District
13 Court for the District of Columbia or a court of the
14 State, as appropriate.

15 (d) CONFORMING AMENDMENTS RELATING TO FED-
16 ERAL COURTS.—Effective upon the admission of the State
17 into the Union—

18 (1) section 41 of title 28, United States Code,
19 is amended in the second column by inserting “,
20 New Columbia” after “District of Columbia”; and

21 (2) the first paragraph of section 88 of title 28,
22 United States Code, is amended to read as follows:
23 “The District of Columbia and the State of New
24 Columbia comprise one judicial district.”.

1 **SEC. 124. UNITED STATES NATIONALITY.**

2 No provision of this Act shall operate to confer Unit-
3 ed States nationality, to terminate nationality lawfully ac-
4 quired, or to restore nationality terminated or lost under
5 any law of the United States or under any treaty to which
6 the United States is or was a party.

7 **TITLE II—RESPONSIBILITIES**
8 **AND INTERESTS OF FEDERAL**
9 **GOVERNMENT**

10 **SEC. 201. CONTINUATION OF REVISED DISTRICT OF CO-**
11 **LUMBIA AS SEAT OF FEDERAL GOVERNMENT.**

12 After the admission of the State into the Union, the
13 seat of the Government of the United States shall be the
14 District of Columbia as described in section 112 (also
15 known as “Washington, D.C.”).

16 **SEC. 202. TREATMENT OF MILITARY LANDS.**

17 (a) RESERVATION OF FEDERAL AUTHORITY.—

18 (1) IN GENERAL.—Subject to paragraph (2)
19 and subsection (b) and notwithstanding the admis-
20 sion of the State into the Union, authority is re-
21 served in the United States for the exercise by Con-
22 gress of the power of exclusive legislation in all cases
23 whatsoever over such tracts or parcels of land lo-
24 cated within the State that, immediately prior to the
25 admission of the State, are controlled or owned by

1 the United States and held for defense or Coast
2 Guard purposes.

3 (2) LIMITATION ON AUTHORITY.—The power of
4 exclusive legislation described in paragraph (1) shall
5 vest and remain in the United States only so long
6 as the particular tract or parcel of land involved is
7 controlled or owned by the United States and used
8 for defense or Coast Guard purposes.

9 (b) AUTHORITY OF STATE.—

10 (1) IN GENERAL.—The reservation of authority
11 in the United States for the exercise by the Congress
12 of the United States of the power of exclusive legis-
13 lation over military lands under subsection (a) shall
14 not operate to prevent such lands from being a part
15 of the State, or to prevent the State from exercising
16 over or upon such lands, concurrently with the
17 United States, any jurisdiction which it would have
18 in the absence of such reservation of authority and
19 which is consistent with the laws hereafter enacted
20 by Congress pursuant to such reservation of author-
21 ity.

22 (2) SERVICE OF PROCESS.—The State shall
23 have the right to serve civil or criminal process with-
24 in such tracts or parcels of land in which the author-
25 ity of the United States is reserved under subsection

1 (a) in suits or prosecutions for or on account of
2 rights acquired, obligations incurred, or crimes com-
3 mitted within the State but outside of such tracts or
4 parcels of land.

5 **SEC. 203. PAYMENT TO STATE IN LIEU OF TAX.**

6 In order to compensate the State for unavailable tax
7 revenues and other effects on the revenues of the State
8 resulting from the significant presence of the Federal Gov-
9 ernment within and nearby the State, the United States
10 shall make a payment to the State for each fiscal year
11 in such amount and under such schedule as Congress may
12 determine (taking into account the recommendations of
13 the Statehood Transition Commission under section 303).

14 **SEC. 204. WAIVER OF CLAIMS TO FEDERAL LANDS AND**
15 **PROPERTY.**

16 (a) IN GENERAL.—As a compact with the United
17 States, the State and its people disclaim all right and title
18 to any lands or other property not granted or confirmed
19 to the State or its political subdivisions by or under the
20 authority of this Act, the right or title to which is held
21 by the United States or subject to disposition by the
22 United States.

23 (b) EFFECT ON CLAIMS AGAINST UNITED STATES.—

24 (1) IN GENERAL.—Nothing contained in this
25 Act shall recognize, deny, enlarge, impair, or other-

1 wise affect any claim against the United States, and
2 any such claim shall be governed by applicable laws
3 of the United States.

4 (2) RULE OF CONSTRUCTION.—Nothing in this
5 Act is intended or shall be construed as a finding,
6 interpretation, or construction by the Congress that
7 any applicable law authorizes, establishes, recog-
8 nizes, or confirms the validity or invalidity of any
9 claim referred to in paragraph (1), and the deter-
10 mination of the applicability or effect of any law to
11 any such claim shall be unaffected by anything in
12 this Act.

13 **SEC. 205. PRESERVATION OF SCENIC VISTAS.**

14 (a) SCENIC EASEMENT.—The Secretary of the Inte-
15 rior shall take a scenic easement in the space above all
16 lots within the State (in accordance with such terms and
17 procedures as the Secretary of the Interior may establish,
18 including terms and procedures relating to the payment
19 of compensation towards the value of the easement taken),
20 and such scenic easement shall be reserved by the United
21 States. The scenic easement is described as follows:

22 (1) GENERAL RULE.—Except as otherwise pro-
23 vided in this subsection, the scenic easement shall be
24 in all space above a lot beginning at a height equal
25 to the sum of—

1 (A) the width of the street, avenue, or
2 highway in front of the lot; and

3 (B) 20 feet.

4 (2) PROPERTY ON COMMERCIAL STREET.—With
5 respect to a lot on a business street, avenue, or high-
6 way, the scenic easement shall be in all space above
7 the lot beginning at a height equal to 130 feet above
8 the sidewalk of the street, avenue, or highway (or,
9 in the case of property on the north side of Penn-
10 sylvania Avenue between 1st and 15th Streets
11 Northwest, beginning 160 feet above the sidewalk).

12 (3) PROPERTY ON RESIDENTIAL STREET.—
13 With respect to a lot on a residential street, avenue,
14 or highway, the scenic easement shall be in all space
15 above the lot beginning—

16 (A) in the case of a lot on a street, avenue,
17 or highway 60 feet wide or less, at a height
18 equal to the width of the street, avenue, or
19 highway;

20 (B) in the case of a lot on a street, avenue,
21 or highway more than 60 feet but less than 65
22 feet wide, at a height equal to 60 feet; and

23 (C) in the case of a lot on any other street,
24 avenue, or highway, at a height equal to the
25 lower of—

- 1 (i) the width of the street, avenue, or
2 highway reduced by 10 feet, or
3 (ii) 90 feet.

4 (4) TREATMENT OF SPACE OVER CHURCHES.—
5 With respect to any lot on a residence street, ave-
6 nue, or highway upon which a church is located
7 (other than a church whose construction had not
8 been undertaken prior to June 1, 1910), the scenic
9 easement shall be in all space above the lot begin-
10 ning at a height equal to 95 feet above the level of
11 the adjacent curb.

12 (5) TREATMENT OF PLAZA OF UNION STA-
13 TION.—With respect to any portion of any lot af-
14 fronting or abutting the plaza in front of Union Sta-
15 tion upon which a building is located (other than a
16 building erected prior to June 1, 1910), the scenic
17 easement shall be in all space above the lot begin-
18 ning at a height equal to 80 feet above the plaza.

19 (b) EFFECT OF SCENIC EASEMENT.—

20 (1) NO PHYSICAL STRUCTURES PERMITTED.—
21 Except as provided in paragraph (2), no person may
22 encroach upon any space in which the United States
23 has reserved a scenic easement pursuant to sub-
24 section (a) with a physical structure.

1 (2) PERMISSIBLE ENCROACHMENT BY CERTAIN
2 STRUCTURES.—Notwithstanding paragraph (1), a
3 person may encroach upon a space in which the
4 United States has reserved a scenic easement pursu-
5 ant to subsection (a) with any of the following:

6 (A) A physical structure in existence on
7 the date on which the Secretary of the Interior
8 takes the easement.

9 (B) A spire, tower, dome, minaret, or pin-
10 nacle serving as an architectural embellishment.

11 (C) A penthouse over an elevator shaft,
12 ventilation shaft, chimney, smokestack, or fire
13 sprinkler tank, but only if—

14 (i) the structure is not used for
15 human occupancy; and

16 (ii) the structure is set back from the
17 exterior walls of the building upon which it
18 is located at a distance equal to its height
19 above the building's roof.

20 (D) An antenna.

21 (E) Construction equipment.

22 (F) A flagpole.

23 (c) RULES FOR INTERPRETING HEIGHTS.—In deter-
24 mining the point at which a scenic easement in a lot begins

1 for purposes of subsection (a), the following rules shall
2 apply:

3 (1) Height shall be measured from the level of
4 the sidewalk opposite the middle of the front of the
5 lot.

6 (2) Any height otherwise determined under
7 such subsection to be not greater than 60 feet may
8 be increased by the distance between the highest
9 point of any building located on the lot and the por-
10 tion of any parapet wall or balustrade of the build-
11 ing that extends over such highest point, but in no
12 case may any height be increased pursuant to this
13 paragraph by more than 4 feet.

14 (3) If a lot (including a corner lot) fronts an
15 intersection of 2 or more streets, avenues, or high-
16 ways, a height shall be determined by using the
17 width of the widest street, avenue, or highway in-
18 volved.

19 (4) In the case of a lot on a street less than 90
20 feet wide on which building lines have been estab-
21 lished, the width of the street shall be deemed to be
22 the distance between the lines.

23 (d) AUTHORITY OF STATE TO DESIGNATE
24 STREETS.—Nothing in this section shall be construed to

1 affect the authority of the State to designate streets, ave-
2 nues, or highways as commercial or residential.

3 (e) EFFECTIVE DATE.—The Secretary of the Interior
4 shall take the scenic easement described in this section
5 on the day before the State is admitted into the Union.
6 The scenic easement shall be reserved by the United
7 States on the date on which the State is admitted into
8 the Union.

9 **SEC. 206. PERMITTING INDIVIDUALS RESIDING IN NEW**
10 **SEAT OF GOVERNMENT TO VOTE IN FEDERAL**
11 **ELECTIONS IN STATE OF MOST RECENT**
12 **DOMICILE.**

13 (a) REQUIREMENT FOR STATES TO PERMIT INDIVID-
14 UALS TO VOTE BY ABSENTEE BALLOT.—

15 (1) IN GENERAL.—Each State shall—

16 (A) permit absent District of Columbia
17 voters to use absentee registration procedures
18 and to vote by absentee ballot in general, spe-
19 cial, primary, and runoff elections for Federal
20 office; and

21 (B) accept and process, with respect to any
22 general, special, primary, or runoff election for
23 Federal office, any otherwise valid voter reg-
24 istration application from an absent District of
25 Columbia voter, if the application is received by

1 the appropriate State election official not less
2 than 30 days before the election.

3 (2) ABSENT DISTRICT OF COLUMBIA VOTER DE-
4 FINED.—In this section, the term “absent District
5 of Columbia voter” means, with respect to a State—

6 (A) a person who resides in the District of
7 Columbia after the admission of the State into
8 the Union and is qualified to vote in the State,
9 but only if the State is the last place in which
10 the person was domiciled before residing in the
11 District of Columbia; or

12 (B) a person who resides in the District of
13 Columbia after the admission of the State into
14 the Union and (but for such residence) would
15 be qualified to vote in the State, but only if the
16 State is the last place in which the person was
17 domiciled before residing in the District of
18 Columbia.

19 (3) STATE DEFINED.—In this section, the term
20 “State” means each of the several States, including
21 the State of New Columbia.

22 (b) RECOMMENDATIONS TO STATES TO MAXIMIZE
23 ACCESS TO POLLS BY ABSENT DISTRICT OF COLUMBIA
24 VOTERS.—To afford maximum access to the polls by ab-

1 sent District of Columbia voters, it is recommended that
2 the States—

3 (1) waive registration requirements for absent
4 District of Columbia voters who, by reason of resi-
5 dence in the District of Columbia, do not have an
6 opportunity to register;

7 (2) expedite processing of balloting materials
8 with respect to such individuals; and

9 (3) assure that absentee ballots are mailed to
10 such individuals at the earliest opportunity.

11 (c) ENFORCEMENT.—The Attorney General may
12 bring a civil action in appropriate district court for such
13 declaratory or injunctive relief as may be necessary to
14 carry out this section.

15 (d) EFFECT ON CERTAIN OTHER LAWS.—The exer-
16 cise of any right under this section shall not affect, for
17 purposes of any Federal, State, or local tax, the residence
18 or domicile of a person exercising such right.

19 (e) EFFECTIVE DATE.—This section shall take effect
20 upon the date of the admission of the State into the
21 Union, and shall apply with respect to elections for Fed-
22 eral office taking place on or after such date.

1 **SEC. 207. REPEAL OF LAW PROVIDING FOR PARTICIPATION**
2 **OF DISTRICT OF COLUMBIA IN ELECTION OF**
3 **PRESIDENT AND VICE-PRESIDENT.**

4 (a) IN GENERAL.—Title 3, United States Code, is
5 amended by striking section 21.

6 (b) EFFECTIVE DATE.—The amendment made by
7 subsection (a) shall take effect upon the date of the admis-
8 sion of the State into the Union, and shall apply to any
9 election of the President and Vice-President of the United
10 States taking place on or after such date.

11 **SEC. 208. EXPEDITED CONSIDERATION OF CONSTITU-**
12 **TIONAL AMENDMENT.**

13 (a) EXERCISE OF RULEMAKING AUTHORITY.—This
14 section is enacted by Congress—

15 (1) as an exercise of the rulemaking power of
16 the Senate and the House of Representatives, re-
17 spectively, and as such these provisions are deemed
18 a part of the rule of each House, respectively, but
19 applicable only with respect to the procedure to be
20 followed in that House in the case of a joint resolu-
21 tion described in subsection (b), and they supersede
22 other rules only to the extent that they are inconsis-
23 tent therewith; and

24 (2) with full recognition of the constitutional
25 right of either House to change the rule (so far as
26 relating to the procedure of that House) at any time,

1 in the same manner and to the same extent as in
2 the case of any other rule of that House.

3 (b) EXPEDITED CONSIDERATION OF REPEAL OF
4 23RD AMENDMENT.—

5 (1) MOTION MADE IN ORDER.—At any time
6 after the date of the enactment of this Act, it shall
7 be in order in either the House of Representatives
8 or the Senate to offer a motion to proceed to the
9 consideration of a joint resolution proposing an
10 amendment to the Constitution of the United States
11 repealing the 23rd article of amendment to the Con-
12 stitution.

13 (2) PROCEDURES RELATING TO MOTION.—With
14 respect to the motion described in paragraph (1),
15 the following rules shall apply:

16 (A) The motion is highly privileged and is
17 not debatable.

18 (B) An amendment to the motion is not in
19 order, and it is not in order to move to recon-
20 sider the vote by which the motion is agreed to
21 or disagreed to.

22 (C) A motion to postpone shall be decided
23 without debate.

TITLE III—GENERAL PROVISIONS

SEC. 301. GENERAL DEFINITIONS.

In this Act, the following definitions shall apply:

(1) The term “Commission” means the Statehood Transition Commission established under section 303.

(2) The term “Council” means the Council of the District of Columbia.

(3) The term “Governor” means the Governor of the State of New Columbia.

(4) The term “Mayor” means the Mayor of the District of Columbia.

(5) The term “State Constitution” means the constitution of the State of New Columbia, as adopted by the Council of the District of Columbia in the Constitution for the State of New Columbia Approval Act of 1987 (D.C. Law 7–8).

(6) The term “State” means the State of New Columbia.

SEC. 302. CERTIFICATION OF ENACTMENT BY PRESIDENT.

Not more than 60 days after the date of enactment of this Act, the President shall certify such enactment to the Mayor of the District of Columbia.

1 **SEC. 303. STATEHOOD TRANSITION COMMISSION.**

2 (a) ESTABLISHMENT.—There is hereby established a
3 Statehood Transition Commission.

4 (b) COMPOSITION.—The Commission shall be com-
5 posed of 17 members appointed as follows:

6 (1) 3 members appointed by the President.

7 (2) 2 members appointed by the Speaker of the
8 House.

9 (3) 2 members appointed by the Minority Lead-
10 er of the House of Representatives.

11 (4) 2 members appointed by the President Pro
12 Tempore of the Senate.

13 (5) 2 members appointed by the Minority Lead-
14 er of the Senate.

15 (6) 3 members appointed by the Mayor of the
16 District of Columbia.

17 (7) 3 members appointed by the Council of the
18 District of Columbia.

19 (c) DUTIES.—

20 (1) IN GENERAL.—The Commission shall advise
21 the President, the Congress, the Mayor (or, upon the
22 admission of the State into the Union, the Gov-
23 ernor), and the Council (or, upon the admission of
24 the State into the Union, the House of Delegates for
25 the State of New Columbia) concerning necessary
26 procedures to effect an orderly transition to state-

1 hood for the District of Columbia and other matters
2 relating to the assumption of the property, func-
3 tions, and activities of the District of Columbia by
4 the State during the first 2 years of the State's ex-
5 istence.

6 (2) RECOMMENDATIONS REGARDING APPLICA-
7 BILITY OF LAWS TO NEW SEAT OF GOVERNMENT.—
8 In carrying out its duties under paragraph (1), the
9 Commission shall analyze the laws of the United
10 States that will apply to the District of Columbia
11 after the admission of the State into the Union, and
12 shall make recommendations to Congress regarding
13 whether any of these laws should continue to apply
14 to the District of Columbia after the admission of
15 the State.

16 (3) RECOMMENDATIONS REGARDING ANNUAL
17 PAYMENT IN LIEU OF TAX.—In addition to any of
18 its other duties under paragraph (1), not later than
19 1 year after the date of the enactment of this Act,
20 the Commission shall develop and recommend to
21 Congress a methodology for determining the amount
22 of and schedule for the annual payment to the State
23 required under section 203, and shall base such
24 methodology upon the methodologies used to deter-
25 mine the amount of other payments in lieu of taxes

1 made by the United States to States and units of
2 local government as compensation for the presence
3 of Federal property which may not be taxed by such
4 States and units of local government.

5 (4) RECOMMENDATIONS REGARDING LORTON
6 CORRECTIONAL COMPLEX.—In addition to any of its
7 other duties under paragraph (1), not later than 2
8 years after the date of the enactment of this Act, the
9 Commission shall identify and recommend options to
10 Congress, the Mayor of the District of Columbia (or,
11 if the options are recommended after the admission
12 of the State into the Union, the Governor of the
13 State), and the Governor of Virginia regarding the
14 incarceration of individuals convicted of crimes in
15 the State, including options relating to—

16 (A) the construction of additional prison
17 facilities within the State;

18 (B) agreements between the State and the
19 Commonwealth of Virginia with respect to the
20 Lorton Correctional Complex, or agreements
21 with other jurisdictions under which such indi-
22 viduals may be incarcerated at facilities located
23 in such other jurisdictions; and

24 (C) the development of a comprehensive
25 plan for closing the Lorton Correctional Com-

1 plex by 2010 and relocating inmates to other
2 facilities.

3 (d) REPORTS.—The Commission shall submit such
4 reports as the Commission considers appropriate or as
5 may be requested.

6 (e) TERMINATION.—The Commission shall cease to
7 exist 2 years after the date of the admission of the State
8 into the Union.

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